

1 JOSEPH Y. HONG, ESQ.
2 Nevada Bar No. 5995
3 HONG & HONG LAW OFFICE
4 1980 Festival Plaza Dr., Suite 650
5 Las Vegas, Nevada 89135
6 Telephone: (702) 870-1777
7 Facsimile: (702) 870-0500
8 Email: yosuphonglaw@gmail.com

9 *Attorney for Danny, LLC*

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 DANNY, LLC, a Nevada limited liability
13 company,

14 Plaintiff,

15 vs.

16 QUALITY LOAN SERVICE CORPORATION,
17 a California corporation registered with the
18 Nevada Secretary of State; NEWREZ LLC dba
19 SHELLPOINT MORTGAGE SERVICING, a
20 Delaware limited liability company registered
21 with the Nevada Secretary of State; NEVADA
22 LEGAL NEWS, LLC, a Nevada limited liability
23 company; DOES I through X and ROE
24 BUSINESS ENTITIES I through X, inclusive,

25 Defendants.

Case No.: 2:22-cv-00294-APG-VCF

**STIPULATION AND ORDER FOR
REMAND TO STATE COURT**

26 Defendant, NewRez LLC dba Shellpoint Mortgage Servicing (**Shellpoint**) and Plaintiff, Danny,
27 LLC (**Danny**), by and through their attorneys of record, file this stipulation to remand this case to
28 State Court. In support of this stipulation, the parties state as follows:

1. On February 16, 2022, Defendant, Shellpoint, filed its Petition for Removal of this case
from the Eighth Judicial District Court, case number A-22-847704-C [ECF NO.1].

1 2. Defendant, Shellpoint's, Petition for Removal was based on diversity jurisdiction under
2 28 U.S.C. Sec. 1332. Diversity jurisdiction "requires 'complete diversity' of citizenship, meaning that
3 the 'citizenship of each plaintiff is diverse from the citizenship of each defendant.'" *Demarest v.*
4 *HSBC Bank USA, N.A.*, 920 F. 3d 1233, 1226 (9th Cir. 2019) (quoting *Caterpillar Inc. v. Lewis*, 509
5 U.S. 61, 68 (1996)).

6 3. Plaintiff, Danny, is a Nevada limited liability company and, therefore, is "a citizen of
7 every state of which its owners/members are citizens." *Johnson v. Columbia Props. Anchorage, LP*,
8 437 F.3d 894, 899 (9th Cir. 2006). Since the establishment and organization of Plaintiff, Danny, in
9 2019, the owners/members of Plaintiff, Danny, are and continue to be Portfolio Management LLC, a
10 California limited liability company and Farhad Yazdininian, a natural person. Farhad Yazdininian has
11 been, and continues to permanently reside and be permanently domiciled in the State of California as
12 he has his true, fixed, and permanent home and principal establishment in the State of California and
13 he intends to return to the State of California whenever he is absent from it. Farhad Yazdininian,
14 therefore, is a citizen of the State of California.

15 4. Defendant, Quality Loan Servicing Corporation, is a California corporation wherein a
16 corporation is a citizen of both its state of incorporation and the state where it has its principal place of
17 business. *Hertz Corp. v. Friend*, 559 U.S. 77, 80 (2010) (quoting 28 U.S.C. Sec. 1332 (c) (1).
18 Defendant, Quality Loan Servicing Corporation, therefore, is a citizen of the State of California.

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5. Based on the following, the parties submit that diversity jurisdiction for this case does not exist and, therefore, request and stipulate for remand of this case to State Court.

DATED: February 28, 2022.

AKERMAN LLP

/s/ Natalie L. Winslow
 ARIEL E. STERN, ESQ.
 Nevada Bar No. 8276
 NATALIE L. WINSLOW, ESQ.
 Nevada Bar No. 12125
 PAIGE L. MAGASTER, ESQ.
 Nevada Bar No. 15557
 1635 Village Center Circle, Suite 200
 Las Vegas, NV 89134

*Attorneys for NewRez LLC dba Shellpoint
 Mortgage Servicing*

HONG & HONG LAW OFFICE

/s/ Joseph Y. Hong
 JOSEPH Y. HONG, ESQ.
 Nevada Bar No. 5995
 1980 Festival Plaza Drive, Suite 650
 Las Vegas, NV 89135

Attorney for Danny, LLC

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

Case No.: 2:22-cv-00294-APG-VCF

DATED: March 1, 2022